

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action dated September 20, 2005. Claims 1-58 are pending. Claims 1-4, 6-41, 43-49 and 52-58 are rejected. Claims 5, 42, 50-51 are objected to. Claims 1, 10, 23, 37, 38, 42, 45, 51, 56, and 57 have been amended. Claims 2, 5, 36, 46, and 50 have been canceled. Accordingly, claims 1, 3-4, 6-35, 37-45, 47-49, and 51-58 remain pending in the present application.

Claims 1, 4, 7-8, 45, 53, 55, and 58 are rejected under 35 USC 102(b) as being anticipated by Nicholl (3,164,801).

Independent claim 1 is amended to recite the limitations of claims 1, 2, and 5. The Examiner objects to claim 5 as being dependent upon a rejected base claim, but states that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Thus, amended independent claim 1 is allowable.

Applicant submits that claims 4 and 7-8 are allowable because they depend upon the allowable amended base claim 1.

Independent claim 45 is amended to recite the limitations of claims 45, 46, and 50. The Examiner objects to claim 50 as being dependent upon a rejected base claim, but states that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Thus, amended independent claim 45 is allowable.

Applicant submits that claims 53, 55, and 58 are allowable because they depend upon the allowable amended base claim 45.

Claims 2, 3, 9, and 46-49 are rejected under 35 USC 103(a) as being unpatentable over

Nicholl.

Claims 2 and 46 have been canceled. Their rejection is thus moot.

Applicant submits that claims 3 and 9 are allowable because they depend upon allowable amended base claim 1. Amended claim 1 is allowable for the reasons set forth above.

Applicant submits that claims 47-49 are allowable because they depend upon allowable amended base claim 45. Amended claim 45 is allowable for the reasons set forth above.

Claims 6, 36, 52, and 54 are rejected under 35 USC 103(a) as being unpatentable over Nicholl in view of Sciortino (6,066,038).

Applicant submits that claim 6 is allowable because it depends upon allowable amended base claim 1. Amended claim 1 is allowable for the reasons set forth above.

Claim 36 has been canceled. Thus, its rejection is moot.

Applicant submits that claims 52 and 54 are allowable because they depend upon allowable amended base claim 45. Amended claim 45 is allowable for the reasons set forth above.

Claims 10-12, 16, 18-19, 33-34, 37-41, 43-44 and 56-57 are rejected under 35 USC 103(a) as being unpatentable over Nicholl in view of Martinez (6,134,820) and Anglin (6,069,557).

Claim 10 has been amended to independent form, reciting the limitations of claims 1 and 10. In addition, claim 10 has been amended to recite at least one illumination device, wherein light emit though all of the plurality of sides of the shell of the illumination device. In contrast, light emits through less than all of the plurality of sides of the signal disclosed by Martinez. The signal in Martinez emits light only from the front and back sides (14, 52). Neither the “left” nor the “right” sides (unmarked) of the signal emits light. Thus, Nicholl in view of Martinez and Anglin does not teach or suggest the present invention as recited in amended independent claim

10.

Applicant submits that claims 11-12, 16, 18-19, and 33-34 are allowable because they depend upon allowable amended base claim 10.

Claim 37 has been amended to independent form, reciting the limitations of claims 36 and 37. In addition, claim 37 has been amended to recite at least one illumination device, wherein light emit though all of the plurality of sides of the shell of the illumination device. In contrast, light emits through less than all of the plurality of sides of the signal disclosed by Martinez. The signal in Martinez emits light only from the front and back sides (14, 52). Neither the “left” nor the “right” sides (unmarked) of the signal emits light. Thus, Nicholl in view of Martinez and Anglin does not teach or suggest the present invention as recited in amended independent claim 37.

Claim 38 has been amended to recite the at least one illumination device, wherein light emit though all of the plurality of sides of the shell of the illumination device. In contrast, light emits through less than all of the plurality of sides of the signal disclosed by Martinez. The signal in Martinez emits light only from the front and back sides (14, 52). Neither the “left” nor the “right” sides (unmarked) of the signal emits light. Thus, Nicholl in view of Martinez and Anglin does not teach or suggest the present invention as recited in amended independent claim 38.

Applicant submits that claims 39-41, and 43-44 are allowable because they depend upon allowable amended base claim 38.

Claim 56 has been amended to independent form, reciting the limitations of claims 45 and 56. In addition, claim 56 has been amended to recite at least one illumination device, wherein light emit though all of the plurality of sides of the shell of the illumination device. In contrast, light emits through less than all of the plurality of sides of the signal disclosed by Martinez. The signal in Martinez emits light only from the front and back sides (14, 52). Neither the “left” nor

the “right” sides (unmarked) of the signal emits light. Thus, Nicholl in view of Martinez and Anglin does not teach or suggest the present invention as recited in amended independent claim 56.

Claim 57 has been amended to independent form, reciting the limitations of claims 45 and 57. In addition, claim 57 has been amended to recite at least one illumination device, wherein light emit through all of the plurality of sides of the shell of the illumination device. In contrast, light emits through less than all of the plurality of sides of the signal disclosed by Martinez. The signal in Martinez emits light only from the front and back sides (14, 52). Neither the “left” nor the “right” sides (unmarked) of the signal emits light. Thus, Nicholl in view of Martinez and Anglin does not teach or suggest the present invention as recited in amended independent claim 57.

Claims 13-14 are rejected under 35 USC 103(a) as being unpatentable over Nicholl in view of Martinez, Anglin and Moore (4,403,274).

Applicant submits that claims 13-14 are allowable because they depend upon allowable amended based claim 10. Claim 10 is allowable for the reasons set forth above. Thus, even if Moore teaches the limitations as argued by the Examiner, Nicholl in view of Martinez, Anglin and Moore still does not teach or suggest the present invention as recited in the combination of claims 10 and 13-14.

Claims 15 and 17 are rejected under 35 USC 103(a) as being unpatentable over Nicholl in view of Martinez, Angling, and Parashar (5,984,570).

Applicant submits that claims 15 and 17 are allowable because they depend upon allowable amended based claim 10. Claim 10 is allowable for the reasons set forth above. Thus, even if

Parashar teaches the limitations as argued by the Examiner, Nicholl in view of Martinez, Anglin and Parashar still does not teach or suggest the present invention as recited in the combination of claims 10 and 15 and 17.

Claims 20-22 are rejected under 35 USC 103(a) as being unpatentable over Nicholl in view of Martinez, Anglin, and Laszlo (5,359,448).

Applicant submits that claims 20-22 are allowable because they depend upon allowable amended based claim 10. Claim 10 is allowable for the reasons set forth above. Thus, even if Laszlo teaches the limitations as argued by the Examiner, Nicholl in view of Martinez, Anglin and Laszlo still does not teach or suggest the present invention as recited in the combination of claims 10 and 20-22.

Claims 27-32 are rejected under 35 USC 103(a) as being unpatentable over Nicholl in view of Martinez, Anglin and Bond (3,456,103).

Applicant submits that claims 27-32 are allowable because they depend upon allowable amended based claim 10. Claim 10 is allowable for the reasons set forth above. Thus, even if Bond teaches the limitations as argued by the Examiner, Nicholl in view of Martinez, Anglin and Bond still does not teach or suggest the present invention as recited in the combination of claims 10 and 27-32.

Claim 35 is rejected under 35 USC 103(a) as being unpatentable over Nicholl in view of Martinez, Anglin, and Turboflare.

Applicant submits that claim 35 is allowable because it depend upon allowable amended base claim 1. Claim 1 is allowable for the reasons set forth above. Thus, even if Turboflare teaches

the limitations as argued by the Examiner, Nicholl in view of Martinez, Anglin and Turboflare still does not teach or suggest the present invention as recited in the combination of claims 1 and 35.

Claims 10-35, 37-41, and 43-44 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16, 23-27, 29-34, 36, and 43 of co-pending Application No. 10/712,431 in view of Nicholl.

Upon allowance of the claims in co-pending Application No. 10/712,431, Applicant shall submit a terminal disclaimer. With the filing of the terminal disclaimer, the Examiner's rejection shall be traversed.

Claims 5, 42, 50 and 51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to recite the limitations of claims 1, 2, and 5. Claim 42 has been amended to recite the limitations of claims 38, 39, and 42. Claim 45 has been amended to recite the limitations of claims 45, 46, and 50. Claim 51 has been amended to recite the limitations of claims 45, 47, and 51. Accordingly, amended claims 1, 42, 50, and 51 are allowable.

Therefore, for the above identified reasons, the present invention as recited in independent claims 1, 10, 23, 37, 38, 42, 45, 51, 56, and 57 is neither taught nor suggested by the cited references. Applicant further submits that claims 3-4, 6-22, 24-35, 39-41, 43-44, 47-49, 52-55, and 58 are also allowable because they depend on the above allowable base claims.

In view of the foregoing, Applicant submits that claims 1, 3-4, 6-35, 37-45, 47-49, and 51-58 are patentable over the cited references. Applicant, therefore, respectfully requests

reconsideration and allowance of the claims as now presented.

The prior art made of record and not relied upon has been reviewed and does not appear to be any more relevant than the applied references.

Applicants' attorney believes this application in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP LLP

October 31, 2005
Date

/Michele Liu/ Reg. No. 44,875
Michele Liu
Attorney for Applicant(s)
(650) 493-4540